

ARIZONA STATE BOARD OF DISPENSING OPTICIANS

BOARD MEETING MINUTES

August 1, 2012

The Arizona State Board of Dispensing Opticians and held a meeting at 1400 W. Washington, Conference Room B-1, Phoenix, Arizona 85007. The Board meeting commenced at 10:30 a.m.

BOARD MEMBERS PRESENT: B. Bergier, Chairman, Licensed Optician
 B. Chandler, Secretary, Licensed Optician
 S. Mayes, Licensed Optician
 P. Moore, Public Member
 D. Mudd, Licensed Optician
 D. Nyblade, Licensed Optician

BOARD MEMBERS ABSENT: C. Newman, Vice-Chairman, Public Member

OTHERS PRESENT: L. Scott, Executive Director
 M. Lee, Assistant Attorney General
 Cathy Chu, Cathy's Accessories

1. Call to Order and Roll Call

Chairman Bergier called the meeting to order at 10:30 a.m. and roll call was taken. Board members present at this time were: Secretary Chandler, Board member Mayes, Board member Moore, Board member Mudd, and Board member Nyblade. Board members absent were: Vice-Chairman Newman.

2. Declaration of Conflicts of Interest

Board Member Mayes noted a conflict with Agenda Item 5.D. and 7.A

3. Approval of Minutes.

- A. Secretary Chandler moved to approve of the minutes, as written, of the Board meeting held on June 6, 2012. Board member Nyblade seconded the motion and it carried.
- B. Board member Mayes moved to approve of the minutes, as written, of the teleconference Board meeting held on June 20, 2012. Board member Moore seconded the motion and it carried

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4. Agency Operations

- A. Director's Report –
 - 1. Ms. Scott reported the Final Rules package was sent to the Governor's Regulatory Review Counsel.
 - 2. Establishment Renewals – Ms. Scott informed the Board that the renewal of establishments is complete. And informed the Board that she is working on the budget and strategic plan submittal for Fiscal year 2014.
 - 3. Executive Director Salary Increase – Secretary Chandler moved to go into executive session to discuss the Executive Director's salary. Board member Mayes seconded the motion and it carried.

The Board went into Executive Session at 10:35 am.

The Board returned from Executive Session.

Secretary Chandler moved to give the Executive Director a 5% Salary increase effective July 1, 2013. Board member Moore seconded the motion and it carried.

5. Possible Violations

- A. Alex Optical No. 688e– no licensed optician – Ms. Scott informed the Board that this location is now in compliance.
- B. Sears Optical Co31 No 1083e – no licensed optician – Ms. Scott informed the Board that this location is now in compliance.
- C. 12-003- Baird – Consumer complaint – The Board reviewed the investigators report. Board member Mayes moved to find Ms. Baird in violation of A.R.S. 32-1696.A.6. Secretary Chandler seconded the motion and it carried. The board discussed the disciplinary action for this violation. Board member Nyblade moved to issue an order of Censure and to put Ms. Baird on six months probation with a civil penalty of \$500.00. Secretary Chandler seconded the motion and it carried.
- D. Nationwide Vision – consumer complaint – Board member Mayes was recused from this discussion. Ms. Scott informed the Board that the glasses have not been received. Board member Nyblade moved to dismiss this complaint. Board member Moore seconded the motion and it passed.

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5. Possible Violations (con't)

- E. Fashion Square – Selling Contact Lens – Prescott Valley – Ms. Scott informed the Board that they took down the contacts and would not sell them anymore – a six month follow-up will be scheduled.
- F. Exclusive Nail Couture – Selling Contact Lens – Tucson – Ms. Scott informed the Board that they took down the contacts and would not sell them anymore – a six month follow-up will be scheduled.
- G. Cathy's Accessories – Selling Contact Lens – Tucson – Ms. Cathy Chu from Cathy's Accessories was present and addressed the Board. She informed the Board that she was not aware that her salesperson was selling contacts, and that she had told them not to. Ms. Scott informed the Board that when she went into the store, she told the clerk she was there before and they had contacts. The clerk then pulled the contacts from under the counter. Ms. Chu assured the Board that she would get rid of the contacts and this would not happen again. A six month follow-up will be scheduled.
- H. Extreme Lifestyle – Selling Contact Lens – Tempe – Ms. Scott informed the Board that they took down the contacts and would not sell them anymore – a six month follow-up will be scheduled.
- I. Hot Rags – Selling Contact Lens – Glendale – Ms. Scott informed the Board that they took down the contacts and would not sell them anymore – a six month follow-up will be scheduled.

6. Applications for Licensure

- A - I Board member Nyblade moved to approve Items A through I for National Vision Establishment Licensing. Board member Moore seconded the motion and it carried.
- J. Secretary Chandler moved to approve the re-instatement application for Barbara Overholt. Board member Nyblade seconded the motion and it carried.

7. Continuing Education Courses

- A. Sheri Mayes – Rules and Regulations Course – Board member Mayes was recused from this discussion. The Board reviewed the course material submitted from Ms. Mayes. Board member Mudd inquired as to the date, time, and place of the course. Ms. Scott informed the Board that the course could not be held until 45 days after the submission of material to the Board. Board member Nyblade moved to approve the course for continuing education credit. Secretary Chandler seconded the motion and it carried.

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7. Continuing Education Courses (con't)

- B. Vision Expo West – Las Vegas – September 5-8, 2012 – Ms Scott informed the Board that all courses were ABO or NCLE approved and the documentation was for informational purposes only.

8. Review and Approval of Applications for Practical Examination

The Board recessed to review applications at 11:01 am.

The Board returned at 11:26 am.

Secretary Chandler moved that the following applicants be approved to take the practical examination:

Marguerite Allen	Julie Iverson
Karen Anderson	Donna Jones
Nathalie Ane-Mauranges	Kimberly Krall
Andrea Armenta	Suzanne Labedz
Linda Atwood	Jon Mangum
Angela Bell	Melanie Maytes
Suzy Bingham	Curtiss McBride
Debora Beatty	Nichole Mitchell
Olivia Burns	Marcel Molson
Stacy Chonka	Julie Nguyen
Cynthia Davidson	Thomas O'Hanlon
Sheri Doherty	Matthew OGara
Thai Farnsworth	Michael Rivera
Karen Garcia	Solimar Rodriquez-Torres
Shauna Geniac	Jenea Tanberg
Jeffrey Gibson	Michelle Thurman
Kelley Gunderson	Preet Toor
Joseph Hartsock	David Torres, and
Melissa Hawco	Dawn Westmoreland
Kami Hobbs	

Board member Nyblade seconded the motion and it carried.

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8. Review and Approval of Applications for Practical Examination (con't)

Secretary Chandler moved that the following applicants be approved to take the practical examination pending receipt of missing documentation:

Amanda Bausano
Molly Coryn
Desiderio Garcia

Lisa Luteran
Alphonso Tyson

Board member Mayes seconded the motion and it carried.

7. Future Meeting Dates

- A. September 4th – Exam Set-up – Board members setting up should be present from 1:00 pm - 2:00 pm
- B. September 5th, Three Exams starting at 8:00 am – Board members should be present from 7:30 am.
- C. October 3rd, November 7th, and December 5th, 2012, to be determined if they will be teleconferences or regular meetings.

10. Future Agenda Items

Board member Mayes would like to have the Exam Review Committee look at moving the dates for the practical examination to better fit with the ABO/NCLE results.

11. Call to the public

No one present.

12. Meeting Adjourned

With no further business the meeting adjourned at 11:33 a.m.

Submitted by:
Lori D. Scott
Executive Director

Approved: Lori D. Scott
Date: 9/5/12